

## **EXHIBIT D**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

**CASE NO. 1:12-cv-2296-TCB**

Securities and Exchange Commission,

Plaintiff,

vs.

Aubrey Lee Price, PFG, LLC, PFGBI,  
LLC, Montgomery Asset Management,  
LLC f/k/a PFG Asset Management,  
Montgomery Asset Management, LLC  
f/k/a PFG Asset Management,

Defendants.

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Genworth Life Insurance Company,  
Protective Life Insurance Company,  
Household Life Insurance Company,

Plaintiffs in Intervention,

vs.

Melanie E. Damian, as Receiver for the  
Estate of Aubrey Lee Price, PFG, LLC,  
PFGBI, LLC, Montgomery Asset  
Management, LLC f/k/a PFG Asset  
Management, Montgomery Asset  
Management, LLC f/k/a PFG Asset  
Management,

Defendant in Intervention.

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**FIRST SUPPLEMENTAL RULE 26 DISCLOSURES OF MELANIE E. DAMIAN, AS RECEIVER FOR THE ESTATE OF AUBREY LEE PRICE, PFG, LLC, PFGBI, LLC, MONTGOMERY ASSET MANAGEMENT, LLC F/K/A PFG ASSET MANAGEMENT**

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Melanie E. Damian, as Receiver for the Estate of Aubrey Lee Price, PFG, LLC, PFGBI, LLC, Montgomery Asset Management, LLC f/k/a PFG Asset Management (Florida limited liability company), Montgomery Asset Management, LLC f/k/a PFG Asset Management (Georgia limited liability company), Defendant in Intervention ("Defendant," or the "Receiver") to the Complaints of Protective Life Insurance Company ("Protective"), Genworth Life Insurance Company ("Genworth"), and Household Life Insurance Company ("Household") (collectively, the "Plaintiffs" or the "Insurers"), and hereby submits her First Supplemental Disclosures pursuant to L.R. 26.1, L.R. 84.1, and Fed.R.Civ.P. 26(a)(1)(A)(i) and 26(a)(1)(A)(ii):

**FED. R. CIV. P. 26(a)(1)(A)(i)**  
**Individuals and Entities Likely to Have Discoverable Information**

The following persons and/or entities may have discoverable information that the Receiver may use to support her claims and defenses:

1. **Sergeant Aaron Pritchett**  
Lowndes County Sheriff's Department  
120 Prison Farm Road  
Valdosta, Georgia 31601  
Telephone: (229) 671-2900

Sergeant Pritchett may have information relating to the investigation of the presumptive death of Aubrey Lee Price and Genworth's

investigation of the Receiver's claim for benefits under the Genworth policy.

2. Any records custodians necessary to authenticate any exhibits listed by the Receiver and/or Genworth, Athene, or HSBC.

**FED. R. CIV. P. 26(a)(2)**  
**Expert Witnesses**

The Receiver may use the following expert witnesses at trial:

1. **Melissa Davis**  
**KapilaMukamal**  
Kapila & Company  
Certified Public Accountants  
1000 South Federal Highway, Suite 200  
Fort Lauderdale, Florida 33316  
Telephone: (954) 761-1011

Ms. Davis may provide expert information through a report and/or testimony at trial relating to the amount of death benefits from Genworth, Athene, and HSBC remaining in the Receiver's account as of December 31, 2103.

2. **Donald Dinsmore, JD AIC, P&CCLA**  
Dinsmore Consulting  
1289 Fordham Boulevard  
Suite A-175  
Chapel Hill, NC 27514-6110  
Telephone: (919) 593-1134

Mr. Dinsmore may provide expert information through a report and/or testimony at trial relating to the investigation of fraud and/or fraudulent insurance claims, the investigation of the claim, Genworth, Athene, and HSBC's claim practices, and relevant industry standards including but not limited to the investigation of presumptive death claims.

**FED. R.CIV.P. 26(a)(1)(B)(ii)**

**Documents That May Be Used to Support the Receiver's Claims**

The Receiver makes the following supplemental disclosures of categories of documents:

3. All documents relied on by Ms. Davis to render her expert opinion in this matter.
4. All documents relied upon by Mr. Dinsmore to render his expert opinion in this matter.
5. All documents in the possession of Sergeant Aaron Pritchett and/or the Lowndes County, Georgia Sheriff's Department relating to the investigation of the presumptive death of Aubrey Lee Price.

The Receiver reserves the right to supplement her initial and supplemental disclosures as discovery progresses and facts and/or documents supporting her claims become known.

Respectfully submitted,

**VER PLOEG & LUMPKIN, P.A**



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*Co-Counsel for the Receiver*

**LOCAL RULE 7.1D CERTIFICATION**

By signature below, counsel certifies that the foregoing document was prepared in Times New Roman, 14-point font in compliance with Local Rule 5.1B.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served *via* electronic mail this 30th day of September 2014 upon: all counsel of record identified on the attached Service List.

/s/ Matthew L. Baldwin

**Matthew L. Baldwin**